

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Noah Lehmann-Haupt and Raefer C. Gabriel  
Application No.: 09/994,373 Group: 2152  
Filed: November 26, 2001 Examiner:  
For: PEER-TO-PEER APPLICATION FOR ONLINE GOODS TRADING

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

on 2/13/02 Pamela Sarno  
Date Signature  
PAMELA SARNO  
Typed or printed name of person signing certificate

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated December 5, 2001, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

**EXECUTED DECLARATION FOR PATENT APPLICATION**

(Separate transmittal letter and postcard not required)

**POWER OF ATTORNEY DOCUMENT**

**GRANTED BY INVENTOR(S)**

**GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)**

(Separate transmittal letter and postcard not required)

**PRELIMINARY AMENDMENT**

(Separate transmittal letter and postcard not required)

**FILING FEE - with Fee Transmittal for Patent Applications in duplicate**

Fee calculations based on:

Claims as originally filed

Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

(Separate transmittal letter and postcard not required)

**SURCHARGE - surcharge fee of \$130**

(Separate transmittal letter and postcard not required)

03/04/2002 MBERME 00000077 09994373  
03 FC:115 110.00 0P

**SEQUENCE LISTING** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

 **SUBSTITUTE DRAWINGS**

Sheets of substitute drawings consisting of Figs. 1 - [ ] are enclosed

*(Separate transmittal letter and postcard not required)*

 **PETITION FOR EXTENSION OF TIME**

Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated December 5, 2001 for one month(s) from February 5, 2002 to March 5, 2002. The appropriate fee of \$110 is included in the enclosed check

A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee

Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check

*(Separate Petition for Extension of Time and postcard not required)*

 **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

 **STATEMENT CLAIMING SMALL ENTITY STATUS**

Was filed on [ ]

Is enclosed herewith

*(Separate transmittal letter and postcard not required)*

In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$ 980. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

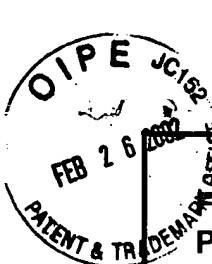
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Caroline M. Fleming  
Caroline M. Fleming, Esq.  
Registration No.: 45,566  
Tel.: (978) 341-0036  
Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: 2/13/02



# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>EE TRANSMITTAL FOR PATENT APPLICATIONS</b>	Attorney Docket Number	3009.1003-002
	Application Number	09/994,373
	First Named Inventor	Noah Lehmann-Haupt

## CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	20 - 20* =	0	x \$ 18 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	3 - 3** =	0	x \$ 84 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
			Total of above Calculations =		\$ 740
			Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$
			TOTAL =		\$ 740
			Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =		\$ 130
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$ 110
			Assignment Recordation Fee = (only when filed with application)		\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 980

1. Small entity status:

- a.  A small entity statement is enclosed.
- b.  A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c.  Is no longer claimed.

2.  A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3.  A check is enclosed for \$980.  Please charge \$[ ] to Deposit Account No. 08-0380.

4.  Other: \_\_\_\_\_  
\_\_\_\_\_

Signature	<i>Caroline M. Fleming</i>	Date	2/13/02
Submitted by Typed or Printed Name	Caroline M. Fleming, Esq.	Reg. Number	45,566



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/994,373	11/26/2001	Noah Lehmann-Haupt	3009.1003-002

Mary Lou Wakimura, Esq.  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 Virginia Road  
P.O. Box 9133  
Concord, MA 01742-9133

#3

**CONFIRMATION NO. 7281**

**FORMALITIES LETTER**



\*OC000000007161024\*

Date Mailed: 12/05/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 870.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

03/04/2002 MBERHE 00000077 09994373 PART 2 - COPY TO BE RETURNED WITH RESPONSE

01 FC:101  
02 FC:105

740.00 DP  
130.00 DP